

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

ANN MARIE ISGRO AS EXECUTOR OF
THE ESTATE OF CATARINA N. ISGRO,

Plaintiff,

-against-

TERESIAN HOUSE NURSING HOME CO
INC.,

Defendant.

Case No. 1:22-cv-00910-BKS-CFH

**STIPULATION TO REMAND
REMOVED ACTION**

PLAINTIFF ANN MARIE ISGRO AS EXECUTOR OF THE ESTATE OF CATARINA N. ISGRO (“Plaintiff”) and DEFENDANT TERESIAN HOUSE NURSING HOME COMPANY INC. s/h/a TERESIAN HOUSE NURSING HOME CO INC. stipulate as follows:

1. On May 2, 2022, Plaintiff commenced an action against Defendant in the Supreme Court of the State of New York, County of Albany, under Index Number 903309-22 (the “Action”).
2. Plaintiff effected service of the Summons and Complaint on Defendant through the New York Secretary of State on August 2, 2022.
3. On September 1, 2022, Defendant filed a notice of removal of the Action pursuant to 28 U.S.C. § 1441(a) with the United States District Court for the Northern District of New York. Defendant completed the removal process by filing a copy of the notice of removal with the Albany County Supreme Court on September 2, 2022.

4. Following the Court's Text Order on November 21, 2022 and after discussion, the parties have agreed that this Action should be remanded to Albany County Supreme Court. The parties hereby stipulate to remand the Action to Albany County Supreme Court. This stipulation does not constitute a waiver of any defenses.

5. Each party shall bear its own attorneys' fees and costs with respect to the removal and subsequent remand of the Action pursuant to this stipulation and order.

Dated: December 5, 2022

Jason Platt
Jason Platt, Esq.
DOOLAN PLATT & SETAREH, LLP

Corey Shulman
Karen L. Campbell, Esq.
Corey Shulman, Esq.
LEWIS BRISBOIS BISGAARD &
SMITH LLP

IT IS SO ORDERED:

Brenda K. Sannes
Brenda K. Sannes
U.S. District Judge

Dated: December 6, 2022
Syracuse, NY